

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4011 of 2019**

Radheshyam S/o Shiv Prasad Aged About 20 Years Cast Teli, R/o Village Banjaridand, Police Station And Tahsil Khadgawan, District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Baikunthpur, Civil And Revenue District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Kaushal Yadav, Advocate
For the State	:	Ms. Sangeeta Mishra, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**11/07/2019**

1. This is the second bail application under Section 439 of the CrPC. Earlier first bail application was rejected by this Court on 09/05/2019 in MCRC No. 2625/2019 considering the *prima facie* case against him.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.77/2019 registered at Police Station Baikunthpur, District Koriya (C.G.) for the offence punishable under Sections 363, 366, 506 and 342 of IPC.
3. Case of the prosecution, in brief is that on 18/03/2019 prosecutrix was more than 16 years of age and below 17 years. She is resident of village Banjari Dand. On 18/03/2019 at about 17.30 hour in front of Higher Secondary School at village Mansukh, the applicant forced the prosecutrix to sit in his Omni

vehicle and took her to Manendragarh. He threatened her to beat her. He also told her to marry him.

4. Counsel for the applicant submitted that applicant is innocent and falsely implicated. He is in jail since 24/03/2019 and charge-sheet has been filed, therefore applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. There is no change of circumstances which may entitle applicant to release on bail in second round of litigation, consequently, second bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge